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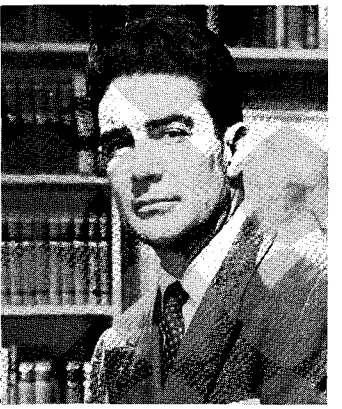

DAN SMOOT

FEDERAL WELFARE PROGRAMS

On February 1, 1962, President Kennedy sent a special message to Congress asking for expansion and revision of the federal government's activities in the field of welfare.

Since the beginning of the federal government's intervention in state welfare programs (1940), it has participated on a "matching fund" basis. That is, if a state government's welfare programs of specified kinds cost a million dollars (or 100 million, or whatever), the federal government pays half of the total cost.

President Kennedy's 1962 proposals would increase the federal government's participation to *seventy-five percent* of certain types of state welfare programs. The President's proposed bill would authorize the Secretary of Health, Education, and Welfare to establish minimum standards which state governments must set to qualify for the higher federal payments — and to determine what portion of the state's over-all programs would qualify for the seventy-five percent federal coverage. (1)

On the day the President's welfare message was received, Congressman Wilbur D. Mills (Democrat, Arkansas, Chairman of the House Ways and Means Committee) introduced HR 10032, embodying the President's proposals.

It was apparent that the Kennedy administration was moving toward complete federal control of all welfare programs in the nation, reducing state governments to the status of branch offices of the Department of Health, Education, and Welfare. In fact, Abraham Ribicoff, Secretary of HEW, was quoted in the press as saying that, after the Mills bill is passed, he would cut off federal funds from any state that "gets tough" about complying with federal standards.

On February 7, 1962, Secretary Ribicoff, testifying before the House Ways and Means Committee, admitted that he had made such a threat, but denied that the federal government intended to dictate welfare standards for state governments. Mr. Ribicoff said the

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Mills Bill specifies "appropriate" standards, not "federal" standards![2]

Does Mr. Ribicoff think all members of Congress are stupid? Obviously, if the bill permits the federal government to prescribe "appropriate" standards, those standards must be "federal" inasmuch as they are to be dictated by a federal official who has the power to bribe state governments with handouts of tax money, or to punish them by withholding handouts.

This kind of amoral cynicism, which makes a mockery of plain honesty, has become so commonplace among the political leaders of our nation that we generally pay little attention to it. A distinguished and powerful federal official can say something which is so obviously a distortion of truth that the whole world knows it amounts to a direct lie, and we shrug it off as something typical and necessary in politics.

Many responsible Americans support, even praise, official conduct which they would punish their own children for engaging in!

The Constitution

There is no grant of power in our Constitution for the federal government to promote the general welfare.[3]

The Preamble to our Constitution includes promotion of the general welfare among the broad purposes for which the Constitution was ordained and established; but the Preamble is not a grant of power, as all responsible authorities on the Constitution agree, and have agreed since the Constitution was written.

The only other place where promotion of the general welfare is mentioned in our Constitution is Clause 1 of Section 8 of Article 1:

"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; . . ."

This 'general welfare' clause is followed by 16 other clauses listing the specific things which Congress does have power to do in the interest of general welfare and common defense. James Madison, principal author of the Constitution, specifically said that Clause 1 of Section 8 of Article 1 (the so-called general welfare clause) is not a grant of power but is, rather, merely a caption (what we would today call a heading, or headline) for the list of specified powers being granted to Congress.[4]

Even Alexander Hamilton (who wanted a strong centralized government, and who played, perhaps, the second most important role in formulating the Constitution and getting it ratified) said, in substance, that if the Constitution had made any general grant of power for the federal government to do anything which the President and Congress deemed to be good for the nation or in the general welfare, it would have been absurd to list any other, specific powers, because such a general grant would have given the federal government enough power to do anything that the people in power might want to do.[5]

The Tenth Amendment to our Constitution says:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Nowhere in the Constitution is there any inference of any grant of power to the United States to finance (or in any way engage in) welfare programs. It follows that *all* of the federal government's activities in the field of welfare (all existing programs, as well as the expanded programs urged by President Kennedy) are illegal and unconstitutional.

No other argument against the federal welfare programs *should* be necessary. It is

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dangerous and wrong for the American people to evaluate programs of the federal government on the basis of whether they sound good; whether they are well-intentioned; whether they will help people; whether they will be honestly and efficiently administered; or whether they are supported by honorable and patriotic men.

The meaning of constitutional government is that the government must be bound by the contract — the Constitution — which created the government. Any time we permit our federal government to do something not authorized by our Constitution, our government, by such activity, becomes a dictatorship. It may at first seem a good dictatorship. We may approve of the activities which the federal government is usurping unconstitutional power to engage in; but when we let the government usurp unconstitutional power, we abandon the Constitution which is our only safeguard against dictatorship; and we open the floodgates to unrestrained, tyrannical government.

Any government which can exercise enough power to do anything, which governmental officials claim to be in the interest of the general welfare, must eventually use the same brutal tactics which the Soviets use to enforce their schemes for helping the people. Why do communists always murder millions of people in the nations they take over? They are promoting the general welfare, as they see it. The communists want to set up what they regard as the ideal society; so, they eliminate all enemies and potential enemies of the schemes which they think will do the most good for the most people.

Strictly on constitutional grounds, the Congress should reject President Kennedy's welfare proposals for 1963 (HR 10032, the Welfare Bill introduced by Wilbur D. Mills on February 1, 1962); but it should do more than that. The Congress should abolish the Department of Health, Education, and Welfare, and terminate all activities within the jurisdiction of that Department.

Illogic of Federal Welfare

Even if we ignore constitutional principles (as we are prone to do), there are ample reasons for Congress to get the federal government out of the welfare business.

The federal government's only source of revenue is the people — who are also the source of revenue for state and local governments. So, when the people of, say, Los Angeles get federal funds for welfare, they are merely getting a *portion* of their own money, after it made a round-trip to Washington.

The federal government withholds a big percentage of the paycheck of practically every worker in Los Angeles, before the worker ever sees it. About 7 percent of the money withheld is turned over to a federal official in Washington, to be used in the fields of health, education, and welfare. That official has broad power (and under President Kennedy's welfare proposals, will have virtually dictatorial power) to decide how much of the money taken away from the people of Los Angeles will be returned to them for welfare. The federal official also determines what kind of welfare programs the people of Los Angeles can finance with their own money. Why is an appointed Washington official better qualified to prescribe welfare programs for Los Angeles than the responsible citizens of that community?

Such a system of federal-aid-for-welfare does not make sense, even if examined solely on pragmatic grounds—that is, on the grounds of whether it works well, regardless of principles, and constitutions, and ideals.

Under our old constitutional system, the states reserved the general and unspecified powers of government — powers which would enable state and local governments to experiment, legally, with social legislation.

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If a state went too far in burdening its productive citizens with taxes for vote-buying handouts to others, it would lose productive citizens to other states. If a state made a mistake or went too far in the use of its power, comparison with the experience of other states —and competition between the states—would force correction.

But when the federal government takes over, there are no comparisons to make, no escape. The stupidities of the bureaucracy are imposed uniformly on the whole nation, and no one can even point to another place to prove that freedom works better than governmental planning. When a federal program is a costly failure, there is no competitive force to compel correction, or even admission of failure. The politicians and bureaucrats simply say the program failed to keep its bright promises because they didn't have enough money. So, they spend more tax money for more of the same failures, to cover up past failures.

President Kennedy (in his budget message submitted January 18, 1962) asked for authority to spend (during the 1963 fiscal year) a total of 92 billion, 500 million dollars. Of that incomprehensible sum, 7 billion, 774 million dollars was for activities in the general fields of health, education, welfare, labor training, and so on.(6)

What President Kennedy wants to spend in this one general field of welfare is almost twice as much as the *total* expenditures of the federal government (for all activities, including national defense and new deal 'recovery' spending) in 1933 during the first year of Franklin D. Roosevelt.(7)

In his February 1, 1962, Public Welfare Message, President Kennedy said:

"Our system of social insurance and related programs has grown greatly: in 1940 less than 1% of the aged were receiving monthly old age insurance benefits; today, over 2/3rds of our aged are receiving these benefits. In 1940, only 21,000 children, in families where the breadwinner had died, were getting survivor insurance benefits; today such monthly benefits are being paid to about 2 million children."(8)

That one paragraph should prove how needless, ineffectual, and wasteful the federal government's welfare programs are. There was, proportionally, no more poverty, or suffering, or absence of opportunity among the halt and the lame, the old and the young, in 1940 than today, when the federal government is pouring out billions and demanding more. In fact, if you will read the speeches and examine the statistics of liberal advocates of greater governmental spending (in the fields of welfare, housing, urban renewal, and so on), you must conclude that there are more impoverished and down-trodden people in the United States than ever before. If you believe this propaganda of the liberals, you must logically conclude that federal spending for welfare has made matters worse rather than better.

A 'New' Concept of Welfare

President Kennedy seems to be aware of this basic, inner contradiction in his argument for greater federal welfare spending. In his Public Welfare Message, he tries to explain why we now have a greater need for more federal spending than ever before, although past spending was supposed to eliminate the poverty which the President now cites as justification for expanded programs. The President said:

". . . the nature and causes of poverty have changed. At the time the Social Security Act established our present basic framework for public aid, the major cause of poverty was unemployment and economic depression. Today, in a year of relative prosperity and high employment, we are more concerned about the poverty that persists in the midst of abundance.

"The reasons are often more social than economic, more often subtle than simple. Some are in need because they are untrained

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for work — some because they cannot work, because they are too young or too old, blind or crippled. Some are in need because they are discriminated against for reasons they cannot help. Responding to their ills with scorn or suspicion is inconsistent with our moral precepts. . . . But merely responding with a 'relief check' to complicated social or personal problems — such as ill health, faulty education, domestic discord, racial discrimination, or inadequate skills — is not likely to provide a lasting solution."

President Kennedy is expanding the meaning of federal public welfare assistance to mean that the federal government must take total charge of individuals and manage their lives for them—including the relationships between husband and wife, education of children, social arrangements, employment practices, and so on.

Origins of the 'New' Concept

Since the American Constitution and Bill of Rights clearly prohibit such paternalism and dictatorship on the part of the federal government, where did such notions of the role of our federal government come from?

Read Article 122 of the Soviet Constitution (elsewhere in this *Report*) prescribing a "wide network" of state "nurseries and kindergartens" for the children of working mothers, and compare the governmental philosophy (and the language) with the following passages from President Kennedy's Public Welfare Message:

"I recommend that the child welfare provisions of the Social Security Act be changed to authorize . . . grants to the States . . . for aid in establishing local programs for the day care of young children of working mothers. . . . Provisions must also be made to assure appropriate arrangements for the care and protection of children during the absence from home of any parent performing work or undergoing training."

I am not suggesting that the President's inspiration came *directly* from the Constitution of the Soviet Union — but indirectly, through the United Nations.

A basic argument for many major federal programs is that they are necessary if we are to meet our "obligations" under the United Nations Charter and our "moral commitments" to the world as announced in the United Nations Universal Declaration of Human Rights.

On June 21, 1946, the Economic and Social Council of the United Nations established a UN Commission on Human Rights. The task of this Commission was to write the UN Universal Declaration of Human Rights.

Mrs. Eleanor Roosevelt, America's representative on the Commission, was the first chairman. One of Mrs. Roosevelt's successors was Dr. Charles Malik of Lebanon.

Writing later of his experience in the UN Human Rights Commission, Dr. Malik candidly admitted that the activities of that Commission "responded for the most part more to Soviet than to Western promptings."

The Human Rights Commission completed the UN Universal Declaration of Human Rights in 1948; and, on December 10 of that year, the General Assembly of the United Nations unanimously adopted the Declaration as the formal statement of United Nations ideals.

Every year since 1948, the President of the United States has set aside December 10 as UN Human Rights Day.

The United States government, in endorsing the United Nations Declaration of Human Rights, has made a promise to the world that it will try to bring its institutions into compliance with the UN ideals proclaimed.

Those same ideals can be found in the Constitution of the Soviet Union:

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Article 23 of the United Nations Declaration of Human Rights: **Everyone has the right to work . . . and to equal pay for equal work.**

Article 118 of the Constitution of the Soviet Union: **Citizens of the USSR have the right to work . . . and payment for their work in accordance with its quantity and quality.**

Article 23 of the UN Declaration of Human Rights: **Everyone has the right to form and to join trade unions.**

Article 126, Constitution of the Soviet Union: **Citizens of the USSR are insured the right to unite . . . in trade unions.**

Article 24 of the United Nations Declaration of Human Rights: **Everyone has the right to rest and leisure.**

Article 119, Constitution of the Soviet Union: **Citizens of the USSR have the right to rest and leisure.**

Article 24 of the UN Declaration of Human Rights: **Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.**

Article 22 of UN Declaration: **Everyone . . . has the right to social security.**

Article 120 of the Constitution of the USSR **has the same provision.**

Article 26 of the UN Declaration of Human Rights: **Everyone has the right to education.**

Article 120 of the Soviet Constitution: **Citizens of the USSR have the right to education.**

Article 25 of the UN Declaration of Human Rights: **Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.**

Article 122 of the Soviet Constitution **has a similar provision.**

The American Bill of Rights (the first ten amendments to our Constitution) does not specify any rights which people are supposed to get from government. Our Bill of Rights lists a few human rights which government is supposed to leave alone:

"Congress shall make *no law* respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for redress of grievances. . . . the right of the people to keep and bear arms *shall not* be infringed. . . . The right of the people to be secure in their persons, houses, papers, and effects . . . *shall not* be violated. . . ."

The government *shall not*. That is the essence of our Bill of Rights. Compare this with the Soviet bill of rights (below); and then compare the Soviet bill of rights with the UN Declaration of Human Rights (which you can borrow at any library, or get free by writing to the UN or to the State Department).

The UN Declaration has many phrases that sound good on superficial reading; but careful study reveals that human rights are not treated as God-given and inalienable, and therefore beyond the reach of government, as they are in our American Bill of Rights. The UN Declaration lists human rights which *government* should pledge itself to give the people.

In short, the UN Declaration is a blueprint for a total one-world socialist state. Its essential provisions were lifted from the Soviet constitution. And it, rather than the American Constitution and Bill of Rights, enunciates the governmental principles on which the contemporary welfare and other programs of the United States government are based.

Soviet Bill of Rights

The Soviet bill of rights is Chapter X of the Constitution of the Union of Soviet Socialist Republics. That chapter is entitled "Fundamental Rights and Duties of Citizens." Here is the whole chapter, verbatim:

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ARTICLE 118 — Citizens of the U.S.S.R. have the right to work, that is, are guaranteed the right to employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises, and the abolition of unemployment.

ARTICLE 119 — Citizens of the U.S.S.R. have the right to rest and leisure.

The right to rest and leisure is ensured by the reduction of the working day to seven hours for the overwhelming majority of the workers, the institution of annual vacations with full pay for workers and employees and the provision of a wide network of sanatoria, rest homes and clubs for the accommodation of the working people.

ARTICLE 120 — Citizens of the U.S.S.R. have the right to maintenance in old age and also in case of sickness or loss of capacity to work.

This right is ensured by the extensive development of social insurance of workers and employees at state expense, free medical service for the working people and the provision of a wide network of health resorts for the use of the working people.

ARTICLE 121 — Citizens of the U.S.S.R. have the right to education.

This right is ensured by universal, compulsory elementary education; by education, including higher education, being free of charge; by the system of state stipends for the overwhelming majority of students in the universities and colleges; by instruction in schools being conducted in the native language, and by the organization in the factories, state farms, machine and tractor stations and collective farms of free vocational, technical and agronomic training for the working people.

ARTICLE 122 — Women in the U.S.S.R. are accorded equal rights with men in all spheres of economic, state, cultural, social and political life.

The possibility of exercising these rights is ensured to women by granting them an equal right with men to work, payment for work, rest and leisure, social insurance and education, and by state protection of the interests of mother and child, pre-maternity and maternity leave with full pay, and the provision of a wide network of maternity homes, nurseries and kindergartens.

ARTICLE 123 — Equality of rights of citizens of the U.S.S.R., irrespective of their nationality or race, in all spheres of economic, state, cultural, social and political life, is an indefeasible law.

Any direct or indirect restriction of the rights of, or, conversely, any establishment of direct or indirect privileges for, citizens on account of their race or nationality, as well as any advocacy of racial or national exclusiveness of hatred and contempt, is punishable by law.

ARTICLE 124 — In order to ensure to citizens freedom of conscience, the church in the U.S.S.R. is separated from the state, and the school from the church. Freedom of religious worship and freedom of anti-religious propaganda is recognized for all citizens.

ARTICLE 125 — In conformity with the interests of the working people, and in order to strengthen the socialist system, the citizens of the U.S.S.R. are guaranteed by law: a) freedom of speech; b) freedom of the press; c) freedom of assembly, including the holding of mass meetings; d) freedom of street processions and demonstrations.

These civil rights are ensured by placing at the disposal of the working people and their organizations printing presses, stocks of paper, public buildings, the streets, communications facilities and other material requisites for the exercise of these rights.

ARTICLE 126 — In conformity with the interests of the working people, and in order to develop the organizational initiative and political activity of the masses of the people, citizens of the U.S.S.R. are ensured the right to unite in public organizations—trade unions, cooperative associations, youth organizations, sport and defense organizations, cultural, technical and scientific societies; and the most active and politically most conscious citizens in the ranks of the working class and other sections of the working people unite in the Communist Party of the Soviet Union (Bolsheviks), which is the vanguard of the working people in their struggle to strengthen

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and develop the socialist system and is the leading core of all organizations of the working people, both public and state.

ARTICLE 127 — Citizens of the U.S.S.R. are guaranteed inviolability of the person. No person may be placed under arrest except by decision of a court or with the sanction of a procurator.

ARTICLE 128 — The inviolability of the homes of citizens and privacy of correspondence are protected by law.

ARTICLE 129 — The U.S.S.R. affords the right of asylum to foreign citizens persecuted for defending the interests of the working people, or for their scientific activities, or for their struggle for national liberation.

ARTICLE 130 — It is the duty of every citizen of the U.S.S.R. to abide by the Constitution of the Union of Soviet Socialist Republics, to observe the laws, to maintain labor discipline, honestly to perform public duties, and to respect the rules of socialist intercourse.

ARTICLE 131 — It is the duty of every citizen of the U.S.S.R. to safeguard and strengthen public, socialist property as the sacred and inviolable foundation of the Soviet system, as the source of the wealth and might of the country, as the source of the prosperous and cultured life of all the working people.

Persons committing offenses against public, socialist property are enemies of the people.

ARTICLE 132 — Universal military service is law.

Military service in the Workers' and Peasants' Red Army is an honorable duty of the citizens of the U.S.S.R.

ARTICLE 133 — To defend the fatherland is the sacred duty of every citizen of the U.S.S.R. Treason to the country — violation of the oath of allegiance, desertion to the enemy, impairing the military power of the state, espionage — is punishable with all the severity of the law as the most heinous of crimes.

FOOTNOTES

(1) *Congressional Quarterly Weekly Report*, February 2, 1962, p. 140.

(2) "Dictation Denied in Welfare Bill," Associated Press article in *The New York Times*, February 8, 1962.

(3) "There is no 'General Welfare Power' In The Constitution of the United States," article by George W. Nilsson, a Los Angeles lawyer, in the January, 1961, American Bar Association *Journal*.

(4) Numbers 41 and 45 in *The Federalist Papers*.

(5) Number 83 of *The Federalist Papers*.

(6) *Congressional Quarterly Weekly Report*, January 19, 1962, p. 63.

(7) Page 718 of *Historical Statistics of the United States: Colonial Times to 1957*, published 1960 by the U. S. Department of Commerce.

(8) "Text of the President's Feb. 1 Public Welfare Message," *Congressional Quarterly Weekly Report*, February 2, 1962, p. 188.

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He worked as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.

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